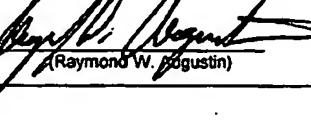


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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 20, 2004 Signature: 
(Raymond W. Agustin)

EXPEDITED PROCEDURE
Group Art Unit: 3738
Docket No.: SPINE 3.0-2144 DIV II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Lance Middleton

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Application No.: 10/672,327

:: Group Art Unit: 3738

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Filed: September 26, 2003

:: Examiner: B. E. Snow

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For: ARTIFICIAL INTERVERTEBRAL DISC

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AMENDMENT UNDER 37 CFR 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated October 13, 2004, finally rejecting claims 1-15, and 17-21, please amend the above-identified U.S. patent application as follows: